

2004R00818  
AC/gr

ELECTRONICALLY FILED

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

*Plaintiff,*

v.

STEPHEN L. ANCIER

*Defendant.*

Hon. Dennis M. Cavanaugh, U.S.D.J.

Criminal No. 09-201 (DMC)

AMENDED FINAL ORDER OF  
FORFEITURE

**WHEREAS**, on August 7, 2008, a Grand Jury in the Northern District of Iowa, Crim. No. 08-1318, charged Stephen L. Ancier with conspiracy to dispense and cause to be dispensed Schedule III and Schedule IV controlled substances outside the usual course of professional practice and without legitimate medical purpose, in violation of 21 U.S.C. §§ 841 and 846; and

**WHEREAS**, on March 5, 2009, the United States entered into a plea agreement with Defendant Stephen L. Ancier (hereinafter "Ancier") in which he pled guilty to conspiracy to dispense and cause to be dispensed Schedule III and Schedule IV controlled substances outside the usual course of professional practice and without legitimate medical purpose, in violation of 21 U.S.C. §§ 841 and 846. Ancier further agreed to the forfeiture of \$465,955 in United States currency in the form of a money judgment, and that the money represented property constituting or derived from proceeds obtained as a result of his violation of 21 U.S.C. §§ 841 and 846, or was traceable to such property

and therefore was subject to forfeiture. Pursuant to 21 U.S.C. § 853, a person convicted of an offense in violation of 21 U.S.C. §§ 841 and 846, shall forfeit to the United States all right, title, and interest in any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as a result of such violation; and

**WHEREAS**, on March 23, 2009, this case was transferred from United States District Court for the Northern District of Iowa to the United States District Court for the District of New Jersey, pursuant to Fed. R. Cr. P. 20; and

**WHEREAS**, on March 31, 2010, in the United States District Court for the District of New Jersey, United States of America v. Stephen L. Ancier, Crim. No. 09-201(DMC), the Court entered a Final Order of Forfeiture in the form of a money judgment for \$465,955 in United States currency (hereinafter "money judgment"), which represents the amount of proceeds obtained or traceable to the offense to which Ancier pled guilty; and

**WHEREAS**, on July 26, 2011, a Motion to Amend a Final Order of Forfeiture was filed in the United States District Court for the District of New Jersey, by the United States of America through its attorney, Paul J. Fishman, United States Attorney for the District of New Jersey (Andrew Carey, Assistant United States Attorney, appearing), seeking the forfeiture of said defendant's interest in the land and premises deeded in the name of Dang Ling Conversations, LLC, an entity controlled by Stephen L. Ancier, and known as: all of that certain parcel and land (being all of the land(s) described in and covered by Land Patent Grant Number 9911 to Mulihele Aienue) situate, lying

and being at Kaimu, Makena, District of Puna, Island and County of Hawaii, being Lot 16, Assessors Parcel Number 3-1-2-006-017, being at the northwest corner of this lot, at a point and pile of stones, on the makai edge of the Government Road, the coordinates of which point are 18,487.60 feet north and 2,371.00 feet west of Hakuma Triangulation Station, as shown on Hawaii Territory Survey Registered Map No. 2072, and running by true azimuths:

1. 332° 15' 1,900.00 feet along 30 foot Road Reserve:
2. 242° 15' 750.00 feet along Lot No. 15;
3. 152° 15' 1,770.00 feet along Government land;
4. 72° 05' 761.20 feet along makai edge of the Government Road, to the point of beginning and containing an area of 31.59 acres, more or less,

as described in the Warranty Deed, Document No. 2003-184801, recorded on September 2, 2003, with the State of Hawaii Bureau of Conveyances, (hereinafter the "Property") representing property constituting or derived from proceeds obtained as a result of his violation of 21 U.S.C. §§ 841 and 846, or is traceable to such property, and therefore subject to forfeiture within the meaning of Rule 32.2(e) of the Federal Rules of Criminal Procedure and subject to forfeiture under the existing Final Order of Forfeiture; and

**WHEREAS**, on August 5, 2011, the United States recorded a Notice of Pendency of Action in the State of Hawaii Bureau of Conveyances, Document Number 2011-124301, against the Property pursuant to the provisions of § 634-51 of the Hawaii Revised Statutes, giving notice of the commencement and pendency of the above entitled Criminal Action seeking the forfeiture of the

Property. The name(s) of the person and entity whose interests are intended to be forfeited are Dang Ling Conversations, LLC, and Stephen L. Ancier; and

**WHEREAS**, on September 20, 2011, the Court entered the First Amendment to A Final Order of Forfeiture whereby the Final Order of Forfeiture, entered on March 31, 2010, was amended to include the Property in partial satisfaction of the money judgment entered against Ancier in the amount of \$465,955; and

**WHEREAS**, on October 14, 2011, a copy of the entered First Amendment to A Final Order of Forfeiture was sent to Randolph H. Wolf, Esq., 214 Broad Street, P.O. Box 8938, Red Bank, New Jersey 07701, counsel for Stephen L. Ancier. (See Declaration of Andrew Carey with Exhibits, Exhibit A); and

**WHEREAS**, on October 17, 2011, a copy of the entered First Amendment to A Final Order of Forfeiture in this matter was received by Randolph H. Wolf, Esq., 214 Broad Street, P.O. Box 8938, Red Bank, New Jersey 07701, counsel for Stephen L. Ancier (*Id.*); and

**WHEREAS**, on pursuant to 21 U.S.C. § 853(n)(1), a Notice of Forfeiture with respect to the Property was posted on an official government internet site, namely <http://www.forfeiture.gov>, beginning on October 19, 2011, and running for thirty consecutive days through November 17, 2011 (See Declaration of Andrew Carey with Exhibits, Exhibit B); and

**WHEREAS** no claims or answers have been filed against the Property within the time permitted;

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

**THAT** a Final Order of Forfeiture is entered for the land and premises deeded in the name of Dang Ling Conversations, LLC, an entity controlled by Stephen L. Ancier, and known as: all of that certain parcel and land (being all of the land(s) described in and covered by Land Patent Grant Number 9911 to Mulihele Aienue) situate, lying and being at Kaimu, Makena, District of Puna, Island and County of Hawaii, being Lot 16, Assessors Parcel Number 3-1-2-006-017, being at the northwest corner of this lot, at a point and pile of stones, on the makai edge of the Government Road, the coordinates of which point are 18,487.60 feet north and 2,371.00 feet west of Hakuma Triangulation Station, as shown on Hawaii Territory Survey Registered Map No. 2072, and running by true azimuths:

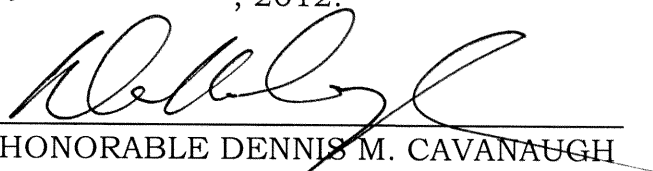
1. 332° 15' 1,900.00 feet along 30 foot Road Reserve:
2. 242° 15' 750.00 feet along Lot No. 15;
3. 152° 15' 1,770.00 feet along Government land;
4. 72° 05' 761.20 feet along makai edge of the Government Road, to the point of beginning and containing an area of 31.59 acres, more or less,

as described in the Warranty Deed, Document No. 2003-184801, recorded on September 2, 2003, with the State of Hawaii Bureau of Conveyances, and no right, title or interest in the Property shall exist in any other party; and

**THAT** any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposits, as well as any income derived as a result of the United States Marshals Service's management of any property forfeited herein, after the payment of costs and expenses incurred in

connection with the forfeiture and disposition of the forfeited property, shall be deposited forthwith by the Department of Justice, United States Marshals Service into the Department of Justice Asset Forfeiture Fund, in accordance with the law.

The Clerk is hereby directed to send copies to all counsel of record.

**ORDERED** this 9 day of March, 2012.  
  
HONORABLE DENNIS M. CAVANAUGH  
United States District Judge